

S. B. No.

367

By

M. J. Kelly

Kelly SB No 367

A BILL
To Be Entitled

an act

~~AN~~ ACT authorizing a permanent statutory revision program for the State of Texas; placing the responsibility for planning and executing the program in the Texas Legislative Council; providing for the appointment of a Statutory Revision Advisory Committee to advise the Legislative Council on certain matters; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. There is created a permanent statutory revision program for the systematic and continual study of the statutes of this state and for formal revisions on a topical or code basis to clarify, simplify and make generally more accessible, understandable and usable the statutory law of Texas. In carrying out the revision program, the sense, meaning or effect of any legislative act shall not be altered.

Sec. 2. The Texas Legislative Council shall plan and execute the statutory revision program. The work of revision shall include but not be limited to:

(a) The preparation of a statutory record showing the status and disposition within the classification of the revised statutes of all acts enacted by the Legislature.

(b) The preparation and submission to the Legislature from time to time in bill form revisions of the statutes on a topic or code basis. Such revisions shall be accompanied by reports containing the revisor's notes explaining in detail the work done.

(c) The formulation and implementation of a continuous revision program whereby the statutes which have been revised and enacted by the Legislature may be kept up to date, thus obviating the necessity of subsequent major revisions.

Sec. 3. (a) A Statutory Revision Advisory Committee shall be appointed by the Chairman of the Texas Legislative Council to consult with and advise the Council with respect to matters relating to the classification and arrangement of the statutes, the numbering system to be used and the preparation of a revisor's manual. The Advisory Committee shall consist of seven (7) members, who shall serve without compensation but shall be allowed actual expenses incurred in attending official meetings of the Committee. All such expenses incurred shall be paid out of any funds appropriated to the Texas Legislative Council. The Advisory Committee shall select one of its members as chairman, and shall meet at the call of the Chairman of the Texas Legislative Council. The Committee shall include representatives of the State Bar of Texas, the judiciary, and the Texas Law Schools. The Advisory Committee shall serve for a period of two (2) years from the date of appointment.

(b) Subsequent Advisory Committees may be appointed to consult with and advise the Legislative Council with respect to matters relating to the revision of particular subjects of the law when the Legislative Council determines a need exists for such a committee. Such Committees shall be appointed in the same manner, shall be similarly constituted and subject to the same provisions as provided in Paragraph (a) of this Section.

Sec. 4. The fact, that the Texas Constitution in Article III, Section 43, recognizes the need for regular revisions of the laws|

of Texas, and the laws have not undergone a general revision since the revision of 1925; and the fact that during the ensuing period many conflicting and duplicate provisions have crept into the laws and other obsolete and unconstitutional provisions have not been repealed; and the fact that this situation causes much difficulty to the ^BBar and to the public in finding authoritative law, and may cause unnecessary litigation and result in injustice by preventing application of correct law, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each ^Hhouse be suspended, and ^{said}this Rule is hereby suspended, ^{shall}and that this Act ¹take effect and be in force from and after its passage, and it is so enacted.


-A-

Austin, Texas
April 24, 1963

Hon. Preston Smith
President of the Senate

Sir:

We, your Committee on STATE AFFAIRS,
to which was referred S.B. No. 367, have had the same under
consideration, and I am instructed to report it back to the
Senate with the recommendation that it do _____
pass _____ and be _____ printed.



Chairman
A. M. Aikin, Jr.

By: Moffett
Kazen

S. B. No. 367

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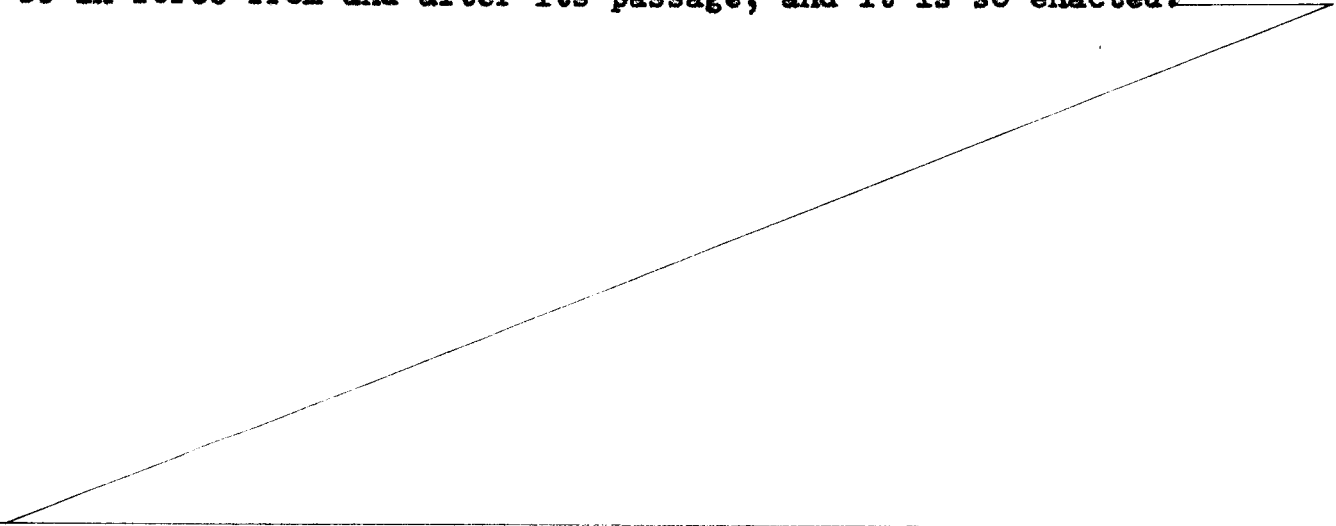
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FORM A

(For favorable and unfavorable reports on bills and resolutions, where no committee amendments are recommended.)

COMMITTEE ROOM

Date 5-7-63

HON. BYRON M. TUNNELL

Speaker of the House of Representatives.

Sir:

We, your Committee on Judiciary, to whom was

referred S. B. No. 367, have had the same under consideration

and beg to report back with recommendation that it { do } pass, and be printed

Chapman
Chairman.

(When this form is used for a favorable report on a general bill the words "do not" are marked out. If the bill is a local bill the word "not" should be inserted before the word "printed." When used for an unfavorable report the word "do" is marked out, the comma after "pass" is changed to a period, and the remaining words also marked out.

When this form is used for a simple or concurrent resolution the comma after "pass" should be changed to a period and the remaining words stricken out because resolutions are printed in the Journal when first introduced.)

AN ACT

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S. B. No. 367

Lientenant Governor
President of the Senate

Speaker of the House

I hereby certify that S. B. No. 367 passed the Senate on
April 29, 1963, by a viva voce vote.

Secretary of the Senate

I hereby certify that S. B. No. 367 passed the House on
May 21, 1963, by a non-record vote.

Chief Clerk of the House

Approved:

Date

Governor

RECEIVED
SENATE CLERK
8:50 A.M.

JUN 11 1963

Clifford C. Martin

S. B. No. 367 By Meffitt
Kelzen

A BILL
To Be Entitled

AN ACT authorizing a permanent statutory revision program for the State of Texas; placing the responsibility for planning and executing the program in the Texas Legislative Council; providing for the appointment of a Statutory Revision Advisory Committee to advise the Legislative Council on certain matters; and declaring an emergency.

MAR 6 1963

Read first time

and referred to Committee

on State Affairs

APR 25 1963

Reported Favorably.

~~Regular order of business~~

~~suspended by vote of~~

~~years, days~~

~~to permit consideration.~~

APR 29 1963

Regular order of business suspended by unanimous consent to permit consideration.

APR 29 1963

READ SECOND TIME

AND ORDERED ENGROSSED

APR 29 1963

Senate Rule 32 and
Constitutional Rule (Sec. 32, Art. III)
suspended by a vote of 25 yeas,
5 nays, to place bill on third
reading and final passage.

APR 29 1963

READ THIRD TIME AND

PASSED BY A VIVA-VOCE VOTE

Charles Schnabel
Secretary of the Senate.

Engrossed
Engrossing Clerk

By: Moffett
Kazen

S. B. No. 367

APR 29 1963

Received from
the Senate.

MAY 21 1963

A BILL TO BE ENTITLED:

AN ACT authorizing a permanent statutory revision program for the State of Texas; placing the responsibility for planning and executing the program in the Texas Legislative Council; providing for the appointment of a Statutory Revision Advisory Committee to advise the Legislative Council on certain matters; and declaring an emergency._____

3- 6-63 Read first time and referred to Committee on State Affairs._____

4-25-63 Reported favorably._____

4-29-63 Regular order of business suspended by unanimous consent to permit consideration._____

4-29-63 Read second time and ordered engrossed._____

4-29-63 Senate Rule 32 and Constitutional Rule (Sec. 32, Art. III) suspended by a vote of 25 Yeas, 5 Nays, to place bill on third reading and final passage._____

4-29-63 Read third time and passed by a viva voce vote._____

Charles Schnabel, Secretary of the Senate

4-29-63 Engrossed._____

Essie Mc. Ginnis
ENGROSSING CLERK

APR 29 1963

SENT TO HOUSE

Dorothy Hallman

Chief Clerk, House of Representatives

APR 30 1963

READ 1ST TIME
AND REFERRED TO COMMITTEE ON

Judiciary

MAY 7 1963

REPORTED FAVORABLY

SENT TO PRINTER

MAY 8 1963

RETURNED FROM PRINTER. SENT TO SPEAKER



MAY 21 1963

Motion to suspend all necessary rules to consider, prevailed by ✓ vote.

non-record

Dorothy Hallman

Chief Clerk, House of Representatives

MAY 21 1963

Constitutional Rule requiring bills to be read on three several days suspended by A four-fifths vote.
Yeas 138 Nays 0

Dorothy Hallman

Chief Clerk, House of Representatives

(Over)

MAY 21 1963

Read third time

and Passed

non-record
by following vote yeas

Nays

Dorothy Hallman
Chief Clerk
HOUSE OF REPRESENTATIVES

MOTION TO RECONSIDER THE VOTE BY

WHICH WAS

ADOPTED / PASSED AND TO TABLE THE MOTION TO RECON-

SIDER PREVAILED PASSED BY A VOTE OF

AYES AND NAYES

CHIEF CLERK HOUSE OF REPRESENTATIVES

MAY 21 1963 RETURNED TO SENATE

MAY 21 1963

RETURNED
FROM HOUSE